

CLAIM OF: **BRYAN & LEDELL CASTLEBERRY**

1551 Old Chatham

Bloomfield Hills, Michigan 48304

CONCILIABLE REPORT

For damages alleged to have been sustained as a result of a property damage incident on January 11, 2000 at Delano Drive @ Norwood Avenue.

Michael S. Sledge
DATE 8/1/2000

BY: PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City

of Atlanta that the action of the Department of Law be approved in authorizing payment to **BRYAN & LEDELL CASTLEBERRY** the sum of \$979.37 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a property damage incident on January 11, 2000 at Delano Drive @ Norwood Avenue as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

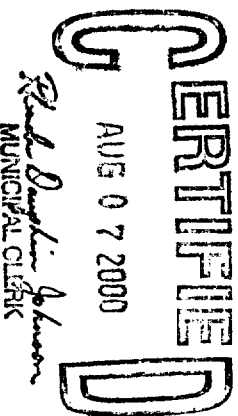
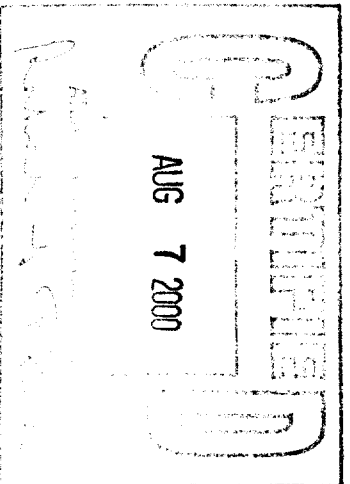
APPROVED
AUG 16 2000

BY: *[Signature]*
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

ADOPTED BY
WITHOUT SIGNATURE
BY OPERATION OF LAW
AUG 07 2000

COUNCIL

CONSENT AGENDA





**MUNICIPAL CLERK
ATLANTA, GEORGIA**

00-R-1184

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Bryan & Ledell Castleberry** in the sum of **\$979.37** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **property damage incident on January 11, 2000 at Delano Drive @ Norwood Avenue** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Laughlin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

AUG 07, 2000

AUG 16, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0141

Date: June 5, 2000

Claimant /Victim Bryan & Ledell Castleberry

BY: (Atty) (Ins. Co.) _____

Address: 1551 Old Chatham, Bloomfield Hills Michigan 48304

Subrogation: _____ Claim for Property damage \$ 979.37

Bodily Injury \$ _____

Date of Notice: 2-21-00

Method: Written, Proper _____

X

Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 _____

X

Ante Litem (6 Mo.) _____

X

Date of Occurrence 1-11-00

Place: Delano Drive @ Norwood Avenue

Department Public Works

Division _____

Solid Waste Services

Employee involved John H. Summerour, Jr

Disciplinary Action: _____

No action taken

NATURE OF CLAIM: Claimant sustained property damage when he was involved in a motor vehicle accident with a City of Atlanta vehicle. The driver of the city vehicle while improperly backing, collided with the claimant's vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee _____

Claimant _____

Others _____

Written _____

Oral _____

Pictures X

Diagrams _____

Reports: Police _____

X

Dept Report _____

X

Other _____

Traffic citations issued: City Driver _____

Claimant Driver _____

Citation disposition: City Driver _____

Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____

X

Ministerial _____

Improper Notice _____

More than Six Months _____

Other _____

Damages reasonable _____

X

City not involved _____

Offer rejected _____

Compromise settlement _____

Repair/replacement by Ins. Co. _____

Repair/replacement by City Forces _____

Claimant Negligent _____

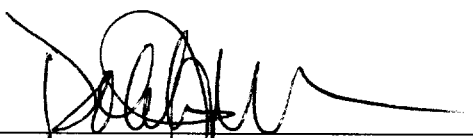
City Negligent _____

X

Joint _____

Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DOBBS JORDAN

RECOMMENDATION:

Pay \$ 979.37

Adverse

Account charged: 1A01 _____

X

2J01 _____

2H01 _____

Claims Manager: 

Concur/date _____

06-15-00

Committee Action: _____

Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK

City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 3/8/00
ENTERED - 3-6-00 - SB
00L0141 - DOBBS JORDAN

Jordan
03/02/00
[Signature]

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 979.37 property and/or \$ 0.00 bodily injury for which I contend the City is liable.

1. Date of incident: 01/11/2000
(month/day/year)

2. Police called: ☒ Yes ☐ No

3. Location of incident: Norwood Ave at the corner of Delano Dr

4. Name of your insurance company: MIC General Insurance Corporation Policy No. 0015113A01

5. State what and how incident occurred: I was heading northbound on Norwood towards its intersection with Delano Dr. I pulled up behind the dump truck, which proceeded to make a left turn onto Delano Dr. The truck was not able to make the turn correctly and without looking back proceeded to back up and hit my truck. I hit my horn several times prior to the accident, but the truck driver did not hear it.

6. **ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!**

The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: GMC Sonoma 1999 BDC Bryan Castleberry
(make) (year) (tag number) (driver's name)

City vehicle: Chevrolet Dump Truck John Henry Summerour Jr. Dept. of Sanitation
(make) (City driver's name) (department/bureau)

7. Witness: _____
(name) (address) (telephone number)

8. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

9. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Bryan & Idell Castleberry
1551 Old Chatham
Bloomfield Hills, Michigan
48304

Bryan Castleberry
(claimant's name)

500 Northside Circle NW Apt H48
(address)

Atlanta, GA 30309
(city and state)

(404) 352-4689
(work number) (home number)

(4) 248-332-7923

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0141


\$ 979.37

IN CONSIDERATION of the sum of NINE HUNDRED SEVENTY NINE DOLLARS AND 37/100s DOLLARS, to be paid by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City, its officers and employees, including but not limited to John H. Summerour, Jr. from any and all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident which occurred on or about the 11th day of January, 2000, at or near Norwood Avenue & Delano Drive

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this 24 day of June, 20 00.


Kelly Powell

Bryan Castleberry (LS)
BRYAN CASTLEBERRY

Ledell Castleberry (LS)
LEDELL CASTLEBERRY

The above release was read and explained to, and signed by the said Bryan & Ledell Castleberry in our presence on the date above written.

Beverly Nickajczyk
Kelly Powell Kelly Powell
WITNESSES

00-R -1184

RCS# 2153
8/07/00
4:06 PM

Atlanta City Council

Regular Session

CONSENT 1

Pages 1-15 KP

Adopt

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty
Y Starnes
Y Bond
Y Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
B Emmons
Y Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-1102
00-R-1197
00-R-1106
00-R-1123
00-R-0721

| 08/07/00 Council Meeting | | |
|---|---|---|
| ITEMS ADOPTED ON CONSENT AGENDA | ITEMS ADOPTED ON CONSENT AGENDA | ITEMS ADVERSESED ON CONSENT AGENDA |
| 1. 00-O-1009 2. 00-O-1010 3. 00-O-1011 4. 00-O-1012 5. 00-O-1079 6. 00-O-0834 7. 00-O-1065 8. 00-O-1004 9. 00-O-1112 10. 00-R-1139 11. 00-R-1140 12. 00-R-1141 13. 00-R-1142 14. 00-R-1144 15. 00-R-1204 16. 00-R-1208 17. 00-R-1209 18. 00-R-1210 19. 00-R-1106 20. 00-R-1146 21. 00-R-1147 22. 00-R-1194 23. 00-R-1203 24. 00-R-1205 25. 00-R-1212 26. 00-R-1213 27. 99-R-1145 28. 99-R-1932 29. 00-R-1108 30. 00-R-1110 31. 00-R-1129 32. 00-R-1130 33. 00-R-1131 34. 00-R-1134 35. 00-R-1206 36. 00-R-1121 37. 00-R-0329 38. 00-R-1136 39. 00-R-1137 40. 00-R-1138 | 41. 00-R-1175 42. 00-R-1176 43. 00-R-1177 44. 00-R-1178 45. 00-R-1179 46. 00-R-1180 47. 00-R-1181 48. 00-R-1182 49. 00-R-1183 50. 00-R-1184 51. 00-R-1185 52. 00-R-1186 53. 00-R-1187 54. 00-R-1188 55. 00-R-1189 56. 00-R-1190 57. 00-R-1191 58. 00-R-1192 59. 00-R-1193 60. 00-R-1199 61. 00-R-1200 62. 00-R-1201 63. 00-R-1202 | 64. 00-R-1148 65. 00-R-1149 66. 00-R-1150 67. 00-R-1151 68. 00-R-1152 69. 00-R-1153 70. 00-R-1154 71. 00-R-1155 72. 00-R-1156 73. 00-R-1157 74. 00-R-1158 75. 00-R-1159 76. 00-R-1160 77. 00-R-1161 78. 00-R-1162 79. 00-R-1163 80. 00-R-1164 81. 00-R-1165 82. 00-R-1166 83. 00-R-1167 84. 00-R-1168 85. 00-R-1169 86. 00-R-1170 87. 00-R-1171 88. 00-R-1172 89. 00-R-1173 90. 00-R-1174 |